GOVERNMENT OF MAHARASHTRA

Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 400 032

No: DMU/2020/CR. 92/DisM-1, Dated: 19th May 2020

ORDER

Revised Guidelines during the extended period of Lockdown for the containment of COVID-19 in the State

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Reference:

1) Revenue and Forest, Disaster Management, Relief and Rehabilitation Department Order No. DMU-2020/C.R.92/DMU-1, dated 2nd May 2020, 3rd May 2020, 5th May 2020, 11th May 2020, 15th May 2020 and 17th May 2020
2) Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A) Dated 1st May 2020, 11th May 2020 and 17th May 2020

Whereas, in exercise of the powers, conferred under the Disaster Management Act 2005, the undersigned, in his capacity as Chairperson, State Executive Committee has issued an Order dated 17th May, 2020 to extend the lockdown measures up to 31st May, 2020 and the Ministry of Home Affairs (MHA), Government of India has issued revised guidelines and Order to extend the lockdown till 31st May 2020 to contain the spread of COVID-19.

Now, therefore, in exercise of the powers, conferred under the Disaster Management Act, 2005, the undersigned, in his capacity as Chairperson, State Executive Committee, hereby issues revised guidelines, that shall be applicable during the above extended period of Lockdown i.e. till 31st May 2020 for containment of COVID-19 epidemic in the State and all Departments of Government of Maharashtra shall strictly implement these revised guidelines ***attached herewith*** with effect from 22nd May 2020.

It is further directed that all earlier orders shall be aligned with this order and shall remain in force up to and inclusive of 31st May 2020.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MAHARASHTRA

(AJOY MEHTA)
CHIEF SECRETARY
GOVERNMENT OF MAHARASHTRA

Copy to:

1. Principal Secretary to Hon'ble Governor of Maharashtra, Mumbai,
2. Hon'ble Chairman, Maharashtra Legislative Council,
3. Hon'ble Speaker, Maharashtra Legislative Assembly,
4. Principal Secretary to Hon'ble Chief Minister, Government of Maharashtra,

5. Secretary to Hon'ble Deputy Chief Minister, Government of Maharashtra,
6. Private Secretary to Leader of Oppostion, Legislative Council / Assembly,
7. Private Secretaries of All Hon'ble Minister/Minister of State, Mantralaya,
8. All Additional Chief Secretaries/Principal Secretaries/Secretaries of Government of Maharashtra,
9. Director General of Police, Maharashtra State, Mumbai,
10. Principal Secretary, Public Health Department, Mantralaya,
11. Secretary, Medical Education, Mantralaya,
12. All Divisional Commissioners in the State,
13. All Commissioners of Police in the State,
14. All Commissioners of Municipal Corporations in the State,
15. All District Collectors,
16. All Chief Executive Officers, Zilla Parishad,
17. All District Superintendents of Police in the State.

GOVERNMENT OF MAHARASHTRA
Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 400 03
No: DMU/2020/CR. 92/DisM-1, Dated: 19th May 2020

Subject: Extension to Lockdown and Revised Guidelines on the measures to be taken for containment of COVID-19 in the state

Ref: New Revised Guidelines on the measures to be taken for containment of COVID-19 in the State during extended period of Lockdown upto 31st May 2020 with effect from 22nd May 2020
[As per ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A) dated 17th May 2020, Govt. of Maharashtra Notification No. DMU/ 2020/CR. 92 /DisM-1dated 17th May, 2020 of Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation]

1. The extension of lockdown period shall remain effective till 31.05.2020 as per DMU/2020/CR92/DISM-1 dated 17th May 2020.

2. This order will come into effect from 22/5/2020 and shall remain effective till 31.05.2020.

3. This order (with Annexures) shall supersede the provisions (and subsequent amendments/clarification thereto) of lockdown order dated 02.05.2020.

4. **The following activities will continue to remain prohibited across the state:**

   i. All domestic and international air travel of passengers, except for domestic medical services, domestic air ambulance and for security purposes or purposes as permitted by MHA.
   ii. Metro rail services.
   iii. Schools, colleges, educational, training, coaching institutions etc. shall remain closed. Online /distance learning shall continue to be permitted and shall be encouraged.
   iv. Hotels, Restaurants and other Hospitality services except those meant for housing health/ police/ Govt officials/ healthcare workers/ stranded persons including tourists and for quarantine facilities and running canteens at bus depots, railway stations and airports. Restaurants shall be permitted to operate Kitchens for home delivery of food items.
   v. All cinema halls, shopping malls, gymnasiums, swimming pools, entertainment parks, theatres, bars and auditoriums, assembly halls and similar places.
   vi. All social/ political/ sports/ entertainment/ academic/ cultural/ religious functions/ other gatherings and large congregations.

vii. All religious places/ places of worship shall be closed for public. Religious congregations are strictly prohibited.

5. SOPs for movement of persons, as mentioned in **Annexure I** shall continue to operate.

6. **National Directives for Covid -19 management**

   National Directives for Covid-19 management as specified in **Annexure II** shall be followed throughout the state.

7. **Night Curfew**

   The movement of individuals shall remain strictly prohibited between 7pm to 7 am except for essential activities. Local authorities shall issue orders in the entire area of jurisdiction under appropriate provisions of law, such as prohibitory orders under sec 144 of CrPC, and ensure strict compliance

8. **Protection Of Vulnerable Persons:**

   Persons above 65 years of age, persons with comorbidities, pregnant women and children below the age of 10 years shall stay at home, except for essential and medical services.

9. After contemplating delineation parameters recommended by GOI and the existing health infrastructure and other relevant considerations, the area of the state is categorized into zones as follows:

   Red zones

   All Municipal Corporations of MMR Region including MCGM,
   Municipal Corporations of Pune, Solapur, Aurangabad, Malegaon, Nashik, Dhule, Jalgaon, Akola and Amravati.

   Non Red Zones (Orange and Green Zone)

   The remaining area of the state

10. **Containment Zones**:

    I. Within Red and Non Red (Orange) zones, Containment zones will be demarcated by Municipal /District Authorities after taking into consideration the guidelines of MoHFW.

    II. The Municipal Commissioners in corporation areas and district collectors in other parts of the district, are empowered to decide the containment zones.

Ajy Mehta

Such zones should be a unit which can be effectively governed and efficiently managed considering the recourses availability. The containment zone will be residential colony, mohalla, slum, building, group of buildings, lane, ward, police station area, villages, small cluster of villages etc. Anything larger than this (eg. Whole taluka/ Whole Municipal Corporation etc.) can be declared as containment zone only after consultation with Chief Secretary.

III. In containment zones, only essential activities shall be allowed. There shall be strict perimeter control to ensure there is no movement of people in and out of these zones, except for medical emergencies and for maintaining supply of essential goods. Guidelines of MOHFW shall be taken into consideration for the above purpose.

11. The following activities shall be permitted in <u>RED ZONES:</u>

i. All essential shops which are allowed and permitted to remain open before this order, shall continue to do so.

ii. All non-essential shops will be allowed to continue as per relaxations and guidelines issued before this order and are in operation as per the policy of respective Municipal Corporation. Liquor shops will continue to operate if permitted, home delivery or otherwise

iii. The shops/malls/establishments/industries, which are not allowed to open in red zone, will be permitted to remain open, from 9 am to 5 pm. only for the purposes of upkeep and maintenance of material / plant and machinery / furniture etc. and for pre-monsoon protection activities of property and goods. However no other activity (commercial/production etc.) will be allowed.

iv. E-commerce activity for essential as well as non-essential items & material.

v. All the industrial units which are permitted to operate.

vi. All construction sites (Public/Private) which are allowed to remain open and operational. All such pre-monsoon works (Public/Private) which are allowed.

vii. Peoples movement is allowed in following manner :

Taxi/Cab/aggregator	No
Rickshaw	No
Four Wheeler	Only essential 1 + 2
Two wheeler	Only essential One Rider

viii. All Emergency staff including health & Medical, treasury, Disaster Management, Police, NIC, Food & Civil Supply, FCI, N.Y.K., Municipal Services can operate at the levels as per the need
All other government offices (including commissionerates and directorates) including Sub Registrar and R.T.O. offices & Dy. RTO offices , Offices of University/ Colleges for non-teaching purposes, staff involved in evaluation of answer sheets, declaration of results and development of e-content will function at 5% strength or minimum 10 employees whichever is more. Central Govt. Offices will continue to function as per the existing permitted norms.

ix. Home delivery restaurants / Kitchens.

x. All activities which are allowed and permitted before this order, shall continue to be permitted. However, all private offices will remain shut.

12. Use of Aarogya Setu

i. Aarogya Setu enables early identification of potential risk of infection, and thus acts as a shield for individuals and the community.
ii. With a view to ensuring safety in offices and work places, employers on best effort basis should ensure that Aarogya Setu is installed by all employees having compatible mobile phones.
iii. District authorities may advise individuals to install the Aarogya Setu application on compatible mobile phones and regularly update their health status on the app. This will facilitate timely provision of medical attention to those individuals who are at risk.

13. Special directions to ensure movement of persons and goods in certain cases.

i. All Authorities shall allow inter-State and Intra-State movement of medical professionals, nurses and para medical staff, sanitation personnel and ambulances, without any restriction.
ii. All Authorities shall allow Inter-State movement of all types of goods/ cargo, including empty trucks.
iii. No authority shall stop the movement of any type of goods/cargo for cross land-border trade under Treaties with neighboring countries.

14. NON RED ZONES:

All activities, which are not in the clause 4 of this order and which are not explicitly prohibited or banned, shall be permitted in Non-Red zones, with following conditions.

a. No permission is needed from any govt. authority to undertake or perform permitted activities.

b. Sport complexes & Stadia and other public open spaces will be permitted to remain open for individual exercises; however, spectators and group activities will not be allowed. All physical exercise and other activities will be done with social distancing norms.

c. All public and private transport will undertake passenger management as follows:

   i. Two Wheeler: 1 rider
   ii. Three Wheeler: 1 + 2
   iii. Four Wheeler: 1 + 2

d. Intra district bus service will be allowed with maximum 50% capacity per bus with physical distancing and sanitation measures.

e. Regarding Inter-district bus service orders will be issued separately.

f. All markets/shops will remain open from 9 am to 5 pm. If Any crowding or failure of social distancing norms is seen , then authorities will immediately close down such markets/shops

15. General instructions

a) Notwithstanding anything contained in this order, containment areas will continue to follow same health protocols, as laid down before this order.

b) No district/regional / State authority will issue ANY order/guideline/direction in deviation or contrary to these guidelines, without the approval of Chief Secretary, Maharashtra.

c) The **Annexure III** attached herewith is for the sake of convenience and must be read with the main order.

16. Penal provisions

Any person violating these measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005 besides legal action under Sec. 188 of the IPC, and other legal provisions as applicable. Extracts of these penal provisions are at **Annexure IV.**

Annexure I

[Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 19th May 2020]

Standard Operating Procedures issued By MHA

- **i.** SOP on transit arrangement for foreign national (s) in India issued vide Order dated April 02,2020
- **ii.** SOP on movement of standard labour within States/UTs, issued vide Order dated April 19, 2020.
- **iii.** SOP on sign-on and sign-off Indian seafarers, issued vide Order dated April 21, 2020.
- **iv.** SOP on movement of standard migrant workers, pilgrims, tourists, students and other persons, issued vide Order dated April 29, 2020 and Order dated May 01, 2020.
- **v.** SOP on movement of Indian Nationals stranded outside the country and of specified persons to travel abroad, issued vide Order dated May 5, 2020.
- **vi.** SOP on movement of persons by train, issued vide Order dated May 11,2020.

Annexure II

[Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 19th May 2020]

National Directives for COVID 19 Management

I. Wearing of face cover is compulsory in all public and workplaces

II. Spitting in public and work places shall be punishable with fine as may be prescribed in accordance with laws, rules or regulations by State/local authority.

III. Social distancing shall be followed by all persons in public places and in transport.

IV. Marriage related gathering shall ensure social distancing and the maximum number of guests allowed shall not be more than 50.

V. Funeral/last rites related gathering shall ensure social distancing and the maximum number of guests allowed shall not be more than 50.

VI. Consumption of liquor, paan, tobacco, etc in public places is not allowed.

VII. Shops will ensure minimum 6 feet distance among customers and shall not allow more than 5 persons at the shop.

Additional directive for Workplaces

VIII. As far as possible, the practice of work from home should be followed.

IX. Staggering of work/business hours shall be followed in offices, workplaces, shops, markets and industrial & commercial establishments.

X. Provision for thermal scanning, hand wash, sanitizer will be made at all entry and exit points and common areas.

XI. Frequent sanitization of entire workplace, common facilities and all points which come into human contact e.g. door handles etc., shall be ensured, including between shifts.

XII. All persons in charge of workplaces shall ensure social distancing through adequate distance between workers, adequate gaps between shifts, staggering the lunch breaks of staff, etc.

Annexure III

[Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 19th May 2020]

COVID-19 Lockdown 4.0

What's allowed & not allowed in Maharashtra

Activity	Red Zone	Remaining Areas	Containment
Travel- Air, train, metro	No	No	No
Inter-state road movement	No	No	No
Education Institutions	No	No	No
Hospitality- Hotels	No	No	No
Shopping Malls	No	No	No
Places of worship & large gatherings	No	No	No
Liquor shops	Yes / Home Delivery	Yes	No
Age>65, <10, Pregnant-Outing	No	No	No
Medical Clinic, OPD	Yes	Yes	No
Taxi, cab, rickshaw	No	1+2	No
4 wheeler	Essential	1+2	No
2 wheeler	Essential	1	No
Inter-district plying of bus (2)	No	No	No
Intra-district plying of bus	No	Yes	No
Supply of goods	Yes	Yes	Yes
Industries (Urban)	Essential	Yes	No
Industries (Rural)	N/A	Yes	No
Urban in-situ construction	Yes	Yes	No
Other private construction sites	No	Yes	No
Urban standalone shops	Ltd	Yes	No
Essential goods shops	Yes	Yes	Yes
E-Com essential goods	Yes	Yes	No
E-Com non-essential goods	Yes	Yes	No
Private Offices	No	Yes	No
Govt. Offices	5% subject to Minimum 10	Yes - 100%	No
Agri activities	No	Yes	No
Bank & Finance	Yes	Yes	No
Courier & Postal	Yes	Yes	No
Movement for medical emergencies	Yes	Yes	Yes
Barber shops, spas, saloons	No	Yes	No
Stadiums without spectators	No	Yes	No
Home Delivery Restaurants	Yes	Yes	No
Sub Registrar/ RTO/DyRTO	Yes	Yes	No

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Annexure IV

[Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 19th May 2020]

Offences and Penalties for Violation of Lockdown Measures

A. Section 51 to 60 of the Disaster Management Act, 2005

51. Punishment for obstruction, etc.—Whoever, without reasonable cause —

(a) obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority in the discharge of his functions under this Act; or

(b) refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority under this Act,

shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.

52. Punishment for false claim.—Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority or the District Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

53. Punishment for misappropriation of money or materials, etc.—Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or wilfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

54. Punishment for false warning.—Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

55. Offences by Departments of the Government.—(1) Where an offence under this Act has been committed by any Department of the Government, the head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the Department, such officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

56. Failure of officer in duty or his connivance at the contravention of the provisions of this Act.—Any officer, on whom any duty has been imposed by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the express written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment for a term which may extend to one year or with fine.

57. Penalty for contravention of any order regarding requisitioning.—If any person contravenes any order made under section 65, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

58. Offence by companies.—(1) Where an offence under this Act has been committed by a company or body corporate, every person who at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly: Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also, be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section— (a) "company" means any body corporate and includes a firm or other association of individuals; and (b) "director", in relation to a firm, means a partner in the firm.

59. Previous sanction for prosecution.—No prosecution for offences punishable under sections 55 and 56 shall be instituted except with the previous sanction of the Central Government or the State Government, as the case may be, or of any officer authorised in this behalf, by general or special order, by such Government.

60. Cognizance of offences.—No court shall take cognizance of an offence under this Act except on a complaint made by— (a) the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised in this behalf by that Authority or Government, as the case may be; or (b) any person who has given

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notice of not less than thirty days in the manner prescribed, of the alleged offence and his intention to make a complaint to the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised as aforesaid.

B. Section 188 in the Indian Penal Code, 1860

188. Disobedience to order duly promulgated by public servant.—Whoever, knowing that, by an order promulgated by a public servant lawfully empowered to promulgate such order, he is directed to abstain from a certain act, or to take certain order with certain property in his possession or under his management, disobeys such direction, shall, if such disobedience causes or tends to cause obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both; and if such disobedience causes or trends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Explanation.—It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm.

Illustration

An order is promulgated by a public servant lawfully empowered to promulgate such order, directing that a religious procession shall not pass down a certain street. A knowingly disobeys the order, and thereby causes danger of riot. A has committed the offence defined in this section.

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